

EXHIBIT 2

United States District Court
Northern District of Texas
Amarillo Division

STATE OF TEXAS,
Plaintiff,

v.

ALEJANDRO MAYORKAS, *et al.*,
Defendants.

Case 2:22-cv-00094

Texas's First Set of Discovery to Defendants

These requests for production and interrogatories are Texas's first set of discovery requests to the Defendants. They are accompanied by definitions and instructions and are governed by Federal Rules of Civil Procedure 33 and 34 and the Court's May 31 scheduling order. The Court's order requires you to respond no later July 1, 2022. The Rules require you to supplement your responses if those responses change or if you discover or obtain additional responsive information or documents.

Dated June 15, 2022.

KEN PAXTON

Attorney General of Texas

BRENT WEBSTER

First Assistant Attorney General

OFFICE OF THE ATTORNEY GENERAL

P.O. Box 12548 (MC-019)

Austin, Texas 78711-2548

(512) 463-2120

AARON F. REITZ

Lead Counsel

Deputy Attorney General for Legal Strategy

Texas Bar No. 24105704

aaron.reitz@oag.texas.gov

/s/ Leif A. Olson

LEIF A. OLSON

Special Counsel

State Bar No. 24032801

leif.olson@oag.texas.gov

GENE P. HAMILTON

America First Legal Foundation

300 Independence Avenue SE

Washington, D.C. 20003

(202) 964-3721

gene.hamilton@aflegal.org

Counsel for the State of Texas

Certificate of Service

I certify that on June 15, 2022, this was by email upon on the defendants' counsel Erez Reuveni (Erez.Reuveni@usdoj.gov) and Brian C. Ward (Brian.C.Ward@usdoj.gov).

/s/ Leif A. Olson

Definitions

1. *Document* includes all written and recorded information within the scope of the Federal Rules of Civil Procedure. It includes originals, drafts, copies, and non-identical copies whether they are stored in physical or electronic media.
2. *And* and *or* are used in the senses that seem appropriate, but they seek the broadest possible scope of information. If reading *and* disjunctively and *or* conjunctively will result in a broader request, read it that way.
3. *Including* is illustrative, not limiting.
4. Requests to *identify* persons do not request personal information that would be protected from disclosure by federal law. They may be identified by some method that allows the same individual to be identified as a response to multiple questions, such as by all or a portion of the alien's Alien Registration Number. The identification should include the alien's age range—0-5, 6-18, 19 and above—and whether the alien is an unaccompanied minor, family-unit member, or single adult.
5. The singular includes the plural, and vice versa.
6. Each pronoun—whether masculine, feminine, or neuter—includes the masculine, the feminine, and the neuter.

Instructions

1. Don't produce privileged information or documents. Instead, state the privilege that entitles you to withhold the document or information. If you are withholding privileged documents, furnish a privilege log that complies with Rule 26(b)(5)(A).
2. If you can't answer an interrogatory completely, say so and say why. Then answer as completely as you can.

3. Definition 3 makes *you* broader than just “you.” Answers to interrogatories that request *your* (or someone else’s) knowledge or information should identify the actual person who is the source of that knowledge or information.
4. If you’re asked to identify or produce a document that was, but no longer is, in your possession, custody, or control, state what happened to it, why, and when. If the document is a copy (or original), furnish the original (or a copy) and state how the copy (or original) was different.
5. Produce electronically stored information in its native format or an agreed-upon format.

Interrogatories

Interrogatory No. 1: From January 2012 to the present, identify each alien who (1) last reported an address in Texas; (2) received a credible-fear finding; and (3) did not file an asylum application, absconded, or was adjudged removable *in absentia*.

Answer to Interrogatory No. 1:

Interrogatory No. 2: From January 2012 to the present, identify each alien who (1) last reported an address in Texas, (2) received a credible-fear interview but not a credible-fear finding, was (3) paroled or otherwise released into the United States, and (4) did not file an asylum application, absconded, or was adjudged removable *in absentia*.

Answer to Interrogatory No. 2:

Interrogatory No. 3: From January 2012 through the present, identify each alien who (1) had a last reported American address in Texas, (2) received a credible-fear finding, (3) applied for asylum, and (4) was adjudged removable because the asylum claim was denied.

Answer to Interrogatory No. 3:

Interrogatory No. 4: Identify each alien currently on ERO’s non-detained docket who (1) reports an address in Texas and (2) received a credible-fear interview by (a) whether the alien received a credible-fear finding or not, (b) whether the alien was paroled or otherwise released, and (c) whether the alien has applied for asylum, either affirmatively or defensively.

Answer to Interrogatory No. 4:

Interrogatory No. 5: Identify each alien who (1) was apprehended in Texas, (2) received a credible-fear interview, (3) was paroled or was otherwise released into the United States, (4) did not report a U.S. address, and (5) did not file an asylum application, absconded, or was adjudged removable *in absentia*.

Answer to Interrogatory No. 5:

Interrogatory No. 6: Identify each case currently pending in an immigration court in Texas in which the alien is making either an affirmative or defensive claim of asylum.

Answer to Interrogatory No. 6:

Interrogatory No. 7: From January 2012 to the present, identify each alien who received a final judgment of removal due to a criminal conviction who had (1) received a credible-fear finding or (2) received a credible-fear interview but not a credible-fear finding.

Answer to Interrogatory No. 7:

Interrogatory No. 8: Identify each document that you used as a source for your answers to these interrogatories.

Answer to Interrogatory No. 8:

Request for Production

Request for Production No. 1: Produce all documents you identified in your answer to Interrogatory No. 8.